

**LOS ANGELES COUNTY
COMMUNITY AND SENIOR SERVICES**



**REQUEST FOR PROPOSALS
FOR
COMMUNITY AND SENIOR CENTER
AUTOMATION SOLUTION**

JANUARY 2012

TABLE OF CONTENTS

1.	INTRODUCTION.....	1
1.1	PURPOSE AND OVERVIEW	1
1.2	OVERVIEW OF SOLICITATION DOCUMENT	1
1.3	TERMS AND DEFINITIONS.....	2
1.4	MINIMUM REQUIREMENTS.....	2
1.5	COUNTY RIGHTS & RESPONSIBILITIES	3
1.6	AGREEMENT TERM.....	3
1.7	AGREEMENT RATES	3
1.8	DAYS OF OPERATION.....	3
1.9	CONTACT WITH COUNTY PERSONNEL.....	4
1.10	FINAL AGREEMENT AWARD	4
1.11	MANDATORY REQUIREMENT TO REGISTER ON COUNTY’S WEBVEN	4
1.12	COUNTY OPTION TO REJECT PROPOSALS.....	5
1.13	PROTEST POLICY REVIEW PROCESS.....	5
1.13.3	Grounds for Review	5
1.14	NOTICE TO PROPOSERS REGARDING THE PUBLIC RECORDS ACT	5
1.15	INDEMNIFICATION AND INSURANCE.....	6
1.16	INJURY & ILLNESS PREVENTION PROGRAM (IIPP)	6
1.17	BACKGROUND AND SECURITY INVESTIGATIONS.....	6
1.18	CONFIDENTIALITY AND INDEPENDENT CONTRACTOR STATUS.....	6
1.19	CONFLICT OF INTEREST	6
1.20	DETERMINATION OF PROPOSER RESPONSIBILITY.....	6
1.21	PROPOSER DEBARMENT.....	7
1.22	PROPOSER’S ADHERENCE TO COUNTY’S CHILD SUPPORT COMPLIANCE	

PROGRAM.....	9
1.23 GRATUITIES.....	9
1.23.1 Attempt to Secure Favorable Treatment	9
1.23.2 Proposer Notification to County	9
1.23.3 Form of Improper Consideration.....	9
1.24 NOTICE TO PROPOSERS REGARDING COUNTY LOBBYIST ORDINANCE	9
1.25 FEDERAL EARNED INCOME CREDIT	10
1.26 CONSIDERATION OF GAIN/GROW PARTICIPANTS FOR EMPLOYMENT	10
1.27 COUNTY’S QUALITY ASSURANCE PLAN.....	10
1.28 RECYCLED BOND PAPER	10
1.29 GREEN INITIATIVES	10
1.30 SAFELY SURRENDERED BABY LAW	10
1.31 COUNTY POLICY ON DOING BUSINESS WITH SMALL BUSINESSES	11
1.32 JURY SERVICE PROGRAM.....	11
1.33 LOCAL SMALL BUSINESS ENTERPRISE PREFERENCE PROGRAM.....	12
1.34 LOCAL SMALL BUSINESS ENTERPRISE (SBE) PROMPT PAYMENT PROGRAM.....	12
1.35 NOTIFICATION TO COUNTY OF PENDING ACQUISITIONS/MERGERS	12
1.36 TRANSITIONAL JOB OPPORTUNITIES PREFERENCE PROGRAM	13
1.37 DEFAULTED PROPERTY TAX REDUCTION PROGRAM.....	13
1.38 CHARITABLE CONTRIBUTIONS COMPLIANCE	14
2. PROPOSAL SUBMISSION REQUIREMENTS.....	15
2.1 ACCEPTANCE OF TERMS AND CONDITIONS.....	15
2.2 CONFIDENTIALITY	15
2.3 COUNTY RESPONSIBILITY	15
2.4 TRUTH AND ACCURACY OF REPRESENTATIONS.....	15

2.5	RFP TIMETABLE.....	15
2.6	SOLICITATION REQUIREMENTS REVIEW	15
2.7	PROPOSERS' QUESTIONS	16
2.8	PROPOSAL WITHDRAWAL	16
2.9	PREPARATION OF THE PROPOSAL	16
2.10	BUSINESS PROPOSAL FORMAT	17
2.10.1	Title Page.....	17
2.10.2	Table of Contents	17
2.10.3	Cover Letter.....	17
2.10.4	Proposer's Organization Questionnaire/Affidavit and Required Support Documentation	17
2.10.5	Executive Summary (Section A).....	18
2.10.6	Proposer's Qualifications (Section B)	18
2.10.7	Proposer's Solution (Section C).....	20
2.10.8	Terms and Conditions (Section D)	20
2.10.9	Business Proposal Required Forms (Section E).....	21
2.11	COST PROPOSAL FORMAT.....	22
2.12	PROPOSALS	22
2.12.1	Proposal Submission	22
2.12.2	Proposal Delivery	23
2.12.3	Firm Offers.....	23
2.12.4	Proposer Demonstration	23
3.	SELECTION PROCESS AND EVALUATION CRITERIA	25
3.1	SELECTION PROCESS	25
3.2	ADHERENCE TO MINIMUM MANDATORY REQUIREMENTS (PASS/FAIL)	25
3.3	DISQUALIFICATION REVIEW	25

3.4	BUSINESS PROPOSAL EVALUATION AND CRITERIA (70%)	26
3.5	COST PROPOSAL EVALUATION CRITERIA (30%)	27
3.5.1	Local SBE Preference	27
3.5.2	Transitional Job Opportunities Preference.....	27
3.6	PROPOSED CONTRACTOR SELECTION REVIEW	27
3.6.1	Debriefing Process.....	27
3.6.2	Selection Review	28
3.7	COUNTY REVIEW PANEL PROCESS.....	29

APPENDICES

APPENDIX A Required Agreement

Exhibit A	Statement of Work
Exhibit B	Pricing Schedule
Exhibit C	Project Schedule
Exhibit D	Service Level Agreement
Exhibit E	Administration of Agreement
Exhibit F	Confidentiality and Assignment Agreement
Exhibit G	Contractor's EEO Certification
Exhibit I	Safely Surrendered Baby Law
Exhibit J	Source Code Escrow Agreement
Exhibit K	Request for Proposals (incorporated by reference)
Exhibit L	Contractor's Proposal (incorporated by reference)

APPENDIX B Statement of Work

Exhibit 1	Manual Business Event Processing
Exhibit 2	Automated Business Event Processing
Exhibit 3	Mixed Event Participants
Exhibit 4	List of Community and Senior Centers
Exhibit 5	Data Warehouse Extract/Import Requirements
Exhibit 6	County Client Workstation Specifications
Exhibit 7	County Specifications for Consumer Data Import
Exhibit 8	Community and Senior Center Reports and Volumes

APPENDIX C Requirements and Response Documents

Exhibit 1	Minimum Requirements
Exhibit 2	Desired Features
Exhibit 3	Security Requirements
Exhibit 4	Cost Sheet and Instructions
Exhibit 5	Statement of Work Certification
Exhibit 6	Required Agreement Certification

APPENDIX D Required Forms

Exhibit 1	Proposer's Organization Questionnaire/Affidavit
Exhibit 2	Prospective Contractor References
Exhibit 3	Prospective Contractor List of Contracts

Exhibit 4	Prospective Contractor List of Terminated Contracts
Exhibit 5	Certification of No Conflict of Interest
Exhibit 6	Familiarity with the County Lobbyist Ordinance Certification
Exhibit 7	Request for Local SBE Preference Program Consideration and CBE Firm/Organization Information Form
Exhibit 8	Proposer's EEO Certification
Exhibit 9	Attestation of Willingness to Consider GAIN/GROW Participants
Exhibit 10	Contractor Employee Jury Services Program Certification Form and Application for Exception
Exhibit 11	Certification of Independent Price Determination and Acknowledgement of RFP Restrictions
Exhibit 12	Charitable Contributions Certification
Exhibit 13	Transitional Job Opportunities Preference Application
Exhibit 14	Certification of Compliance with County's Defaulted Property Tax Reduction Program
APPENDIX E	Transmittal Form to Request a Solicitation Requirements Review
APPENDIX F	County of Los Angeles Policy on Doing Business with Small Businesses
APPENDIX G	Jury Service Ordinance
APPENDIX H	Listing of Contractors Debarred in Los Angeles County
APPENDIX I	IRS Notice 1015
APPENDIX J	Safely Surrendered Baby Law
APPENDIX K	Defaulted Property Tax Reduction Program
APPENDIX L	Determination of Contractor Non-Responsibility and Contractor Debarment
APPENDIX M	Background and Resources – California Charities Regulation

1. INTRODUCTION

1.1 PURPOSE AND OVERVIEW

The Department of Community and Senior Services (“CSS” or “Department”) of the County of Los Angeles (“County”) is issuing this Request for Proposals (“RFP”) to solicit proposals from qualified proposers (“Proposer(s)”) for an agreement (“Agreement”) with an organization (“Contractor”) that can provide an existing off the shelf Web application as Software as a Service (“SaaS”) that will support a wide variety of senior activities provided by its fourteen (14) senior and community centers.

The capabilities of the selected SaaS solution (“Solution”) will include, but not be limited to, extensive reporting and tracking of activities, local center capabilities to handle calendaring, schedules and reporting using non-technical staff, enabling constituents to access information, schedule themselves for classes, enroll in center programs or many other center activities, select meals and pre-register with the centers.

Touch screens, standard barcode ID card swipe and scanning shall be required functionalities of the Solution. Hosting services will be provided by the selected Contractor and are included in the RFP as a requirement. Periodic data extracts will be made available from Contractor’s hosting site to the existing CSS Data Warehouse. Consumer data will periodically be imported with a County ID from an external source to the hosted Solution.

CSS has an existing Area Agency on Aging (“AAA”) system (SAMS by Harmony Information Systems, Inc.) which currently tracks AAA services (eg., Congregate Meals). It is desirable to have an informational exchange method(s) of consumers and some center provided AAA services that will avoid duplicate data entry.

County will provide client workstations, touchscreens and scanners at the centers, including, their purchase, maintenance, installation and configuration. Contractor shall provide all other materials and work necessary to complete the tasks outlined in Appendix B (Statement of Work) and elsewhere in the Agreement, including everything that is needed for County to internally configure the client workstation to work correctly with the Solution.

1.2 OVERVIEW OF SOLICITATION DOCUMENT

This Request for Proposals is composed of the following parts:

1. **INTRODUCTION**: Specifies the Proposer’s minimum requirements, provides information regarding the requirements of the Agreement and the solicitation process.
2. **PROPOSAL SUBMISSION REQUIREMENTS**: Includes instructions to Proposers in how to prepare and submit their proposal.
3. **SELECTION PROCESS AND EVALUATION CRITERIA**: Includes information on how the proposals will be selected and evaluated.
4. **APPENDICES**: The following Appendices are attached to and are incorporated into, and form part of, this Request for Proposals:
 - A. **REQUIRED AGREEMENT**: The terms and conditions of the Required Agreement.

-
- B. STATEMENT OF WORK: Details of the required work to be performed under the Agreement.
 - C. REQUIREMENTS AND RESPONSE DOCUMENTS: Exhibits to the Statement of Work and other requirements and specifications.
 - D. REQUIRED FORMS: Forms that must be completed and included in the proposal.
 - E. TRANSMITTAL FORM TO REQUEST A SOLICITATION REQUIREMENTS REVIEW: Transmittal sent to the Department requesting a Solicitation Requirements Review.
 - F. COUNTY OF LOS ANGELES POLICY ON DOING BUSINESS WITH SMALL BUSINESSES: County policy.
 - G. JURY SERVICE ORDINANCE: County Code.
 - H. LISTING OF CONTRACTORS DEBARRED IN LOS ANGELES COUNTY: List of contractors that are not allowed to contract with County for a specified period of time.
 - I. IRS NOTICE 1015: Information on Federal Earned Income Credit.
 - J. SAFELY SURRENDERED BABY LAW: County program.
 - K. DEFAULTED PROPERTY TAX REDUCTION PROGRAM: County program.
 - L. DETERMINATION OF CONTRACTOR NON-RESPONSIBILITY AND CONTRACTOR DEBARMENT: County Code.
 - M. BACKGROUND AND RESOURCES – CALIFORNIA CHARITIES REGULATION: An information sheet intended to assist nonprofit agencies with compliance with *SB 1262 – the Nonprofit Integrity Act of 2004* and identify available resources.

1.3 TERMS AND DEFINITIONS

Those terms with the initial letter capitalized that are not expressly defined herein, shall have the meaning given to such terms in *Paragraph 2 (Definitions) of Appendix A (Required Agreement)* to this RFP.

1.4 MINIMUM REQUIREMENTS

Interested and qualified Proposers who demonstrate their ability to successfully provide the required work described in *Appendix B (Statement of Work)* to this RFP are invited to submit proposal(s), provided they meet the requirements specified below (“Minimum Requirements”).

1. RFP response must clearly show that the Minimum Requirements specified in *Exhibit C.1 (Minimum Requirements)* are met.
2. The Proposer has been in business providing the proposed services for a minimum of five (5) years.
3. The Solution proposed is mature and has been in live production as proposed for a minimum of two (2) years.
4. The RFP response must comply with Section 1.14 (Notice to Proposers Regarding the Public Records Act).

-
5. The RFP response must include all work as stated in the SOW.
 6. Proposer agrees to provide a sandbox ("Sandbox") environment for use by County to assist County in evaluating the Solution, testing and training during both Implementation and Maintenance Phases of the project.
 7. Proposer agrees to provide a structured demonstration of the Solution via WebEx to County during the evaluation of the RFP's pursuant to Section 2.12 (Proposals).

1.5 COUNTY RIGHTS & RESPONSIBILITIES

County, in its sole discretion, may interpret or change any provision of this RFP at any time. Any such interpretation or change shall be in the form of a written addendum to this RFP. Each addendum shall become part of this RFP and may become part of any resultant Agreement. Each addendum shall be made available to each Proposer which County records indicate has received this RFP. In the event any such addendum requires additional information not previously requested, a Proposer's failure to address the requirements of such addendum may result in the elimination of the proposal for consideration, as determined by County in its discretion.

County reserves the right to waive any minor, inconsequential or immaterial irregularities, disparities, deviations or defects in any submitted proposal, as determined by County. County also, at its sole discretion, may seek clarifications from Proposers.

1.6 AGREEMENT TERM

The term of the resultant Agreement shall commence upon execution of the Agreement by County and the selected Contractor and shall continue until and through three (3) years from the Solution's Final Acceptance, as such term is defined in Appendix A (Required Agreement) to this RFP ("Initial Term"). At the end of the Initial Term, County may in its sole option extend the term of the Agreement for up to two (2) additional years ("Extended Term") one (1) year at a time, subject to, among others, County's right to terminate earlier for convenience, non-appropriation of funds, default of Contractor, substandard performance of Contractor, non-responsibility of Contractor, improper consideration given/offered to County with respect to the award of the Agreement and/or breach of warranty to maintain compliance with County's Child Support Compliance Program notwithstanding the maximum Agreement term of five (5) years.

1.7 AGREEMENT RATES

Contractor shall be reimbursed in accordance with the fixed price rates for the Deliverables under the Statement of Work, Maintenance Fees, agreed upon fees for any Optional Work and any other pricing terms agreed to in the resultant Agreement and specified in the Pricing Schedule. Contractor's rates shall not increase during the term of the resultant Agreement. Furthermore, the selected Contractor shall comply with the provisions of *Paragraphs 8.5 (Non-Appropriation of Funds) and 8.6 (County's Obligation for Future Fiscal Years) of Appendix A (Required Agreement)*.

1.8 DAYS OF OPERATION

Contractor shall be required to provide all work under the resultant Agreement, including the hosted entry, tracking and reporting services, seven (7) days per week, 52 weeks a year, 6 a.m. to 9 p.m. PT, Monday through Friday excluding County observed holidays, for the entire term of the resultant Agreement, unless otherwise authorized by County in

accordance with the terms of the resultant Agreement.

1.9 CONTACT WITH COUNTY PERSONNEL

All contact regarding this RFP or any matter relating thereto must be in writing and mailed, e-mailed or sent via USPS to County's point of contact identified below ("Contract Manager").

Frank Ditto, Human Services Administrator III
Los Angeles County
Community and Senior Services
IT Support Group
3175 West Sixth Street
Los Angeles, California 90020
SeniorCenterRFP@css.lacounty.gov

Proposers are specifically directed not to contact any other County person or agent for any matter's related to this RFP. Failure by any Proposer to adhere to this policy, including if it is discovered that a Proposer contacts and receives or attempts to receive information from any County personnel other than the person specified above regarding this RFP, shall result in the disqualification of the proposal of such Proposer from further consideration, as determined by County. The resultant Agreement shall only be awarded to the Proposer whose proposal has been selected for contract negotiations in accordance with the terms of this RFP.

All written communications with County regarding this RFP, including its Appendices and Exhibits, must reference the RFP, Proposer's name, address, contact person, contact's telephone number and contact's email address and the reason for communication. Any material received that does not explicitly indicate its RFP related contents will be handled as general mail or communication, which may result in a delay or non-response to the Proposer. County is only responsible for that which is expressly stated in this RFP and any authorized written addenda thereto. County is not responsible for and shall not be bound by any representations otherwise made by any individual acting or purporting to act on County's behalf.

1.10 FINAL AGREEMENT AWARD

Notwithstanding the Department's acceptance of any proposal or recommendation of any resultant Agreement, County's Board of Supervisors ("Board") retains the right to exercise its judgment concerning the selection of a proposal and the terms of any resultant Agreement and to determine which proposal best serves the interests of County. The Board is the ultimate decision making body and makes the final determinations necessary to arrive at a decision to award, or not award, an agreement.

1.11 MANDATORY REQUIREMENT TO REGISTER ON COUNTY'S WEBVEN

Prior to the Agreement award, all potential contractors must register on County's WebVen. The WebVen contains the vendor's business profile and identifies the goods/services the business provides. Registration can be accomplished online via the Internet by accessing County's home page at http://lacounty.info/doing_business/main_db.htm. There are underscores in the address between the words "doing_business" and "main_db".

1.12 COUNTY OPTION TO REJECT PROPOSALS

County may, at its sole discretion, reject any or all proposals submitted in response to this RFP. County shall not be liable in any way or have any responsibility for any costs incurred in connection with the preparation, submittal or presentation of any proposal in response to this RFP.

1.13 PROTEST POLICY REVIEW PROCESS

1.13.1 Under Board Policy No. 5.055 (Services Contract Solicitation Protest), any prospective Proposer may request a review of the requirements under a solicitation for a Board-approved services contract, as described in *Section 1.13.3 (Grounds for Review)* below. Additionally, any actual Proposer may request a review of a disqualification or of a proposed contract award under such a solicitation, as described respectively in the Sections below. It is the responsibility of the Proposer challenging the decision of a County Department to demonstrate that the Department committed a sufficiently material error in the solicitation process to justify invalidation of a proposed Agreement award.

1.13.2 Throughout the review process, County has no obligation to delay or otherwise postpone an award of the resultant Agreement despite any Proposer protest. In all cases, County reserves the right to make an award when it is determined to be in the best interest of the County of Los Angeles to do so.

1.13.3 GROUND FOR REVIEW

Unless State or Federal statutes or regulations otherwise provide, the grounds for review of a solicitation for a Board-approved agreement are limited to the following:

- Review of Solicitation Requirements (*Section 2.6 (Solicitation Requirements Review)* below);
- Review of a Disqualified Proposal (*Section 3.3 (Disqualification Review)* below); and
- Review of Proposed Contractor Selection (*Section 3.6.2 (Selection Review)* below).

1.14 NOTICE TO PROPOSERS REGARDING THE PUBLIC RECORDS ACT

1.14.1 Responses to this RFP shall become the exclusive property of County. Absent extraordinary circumstances, at such time as (a) with respect to the recommended Proposer's proposal, the Department completes contract negotiations and obtains a letter from an authorized officer of the recommended Proposer that the negotiated Agreement is a firm offer of the recommended Proposer, which shall not be revoked by the recommended Proposer pending the Department's completion of the process under Board Policy No. 5.055 and approval by the Board of Supervisors (Board) and (b) with respect to each Proposer requesting a County Review Panel, the County Review Panel convenes as a result of such Proposers' request, and (c) with respect to all other Proposers, the Department recommended Proposer(s) to the Board, and such recommendation appears on the Board agenda, all proposals submitted in response to this RFP, shall become a matter of public record, with the exception of those parts of each proposal which are justifiably defined as business or trade secrets and are plainly marked as "Trade Secret", "Confidential" or "Proprietary".

County acknowledges that Proposers' responses relating to security protocols in *Exhibit 3 (Security Requirements) to Appendix C (Requirements and Response Documents)* are marked and deemed as "Trade Secret", "Confidential" or "Proprietary" and will not

be a matter of public records, subject to the California Public Records Act, order of court or other applicable law.

- 1.14.2 County shall not, in any way, be liable or responsible for the disclosure of any such record or any parts thereof or if disclosure is required or permitted under the California Public Records Act or otherwise by law. **A blanket statement of confidentiality, or the marking of each page of the proposal as “Trade Secrets”, Confidential” or “Proprietary”, shall not be deemed sufficient notice of exception. Proposers must specifically label only those provisions of the proposal which are “Trade Secrets”, Confidential” or “Proprietary” in nature.**

1.15 **INDEMNIFICATION AND INSURANCE**

Contractor shall be required to comply with the indemnification provisions contained in *Paragraph 13 (Indemnification) of Appendix A (Required Agreement)*. Contractor shall procure, maintain and provide to County proof of insurance coverage for all the programs of insurance along with associated amounts specified in *Paragraph 14 (Insurance Requirements) of Appendix A (Required Agreement)*.

1.16 **INJURY & ILLNESS PREVENTION PROGRAM (IIPP)**

Contractor shall be required to comply with the State of California’s Cal OSHA’s regulations. Section 3203 of Title 8 in the California Code of Regulations requires all California employers to have a written, effective Injury and Illness Prevention Program (IIPP) that addresses hazards pertaining to the particular workplace covered by the program.

1.17 **BACKGROUND AND SECURITY INVESTIGATIONS**

Background and security investigations of Contractor’s staff may be required at the discretion of County as a condition to beginning and continuing work under any resultant Agreement. The cost of background checks shall be the responsibility of Contractor.

1.18 **CONFIDENTIALITY AND INDEPENDENT CONTRACTOR STATUS**

As appropriate, Contractor shall be required to comply with the provisions of *Paragraphs 18.1 (Confidentiality) and 25 (Independent Contractor Status) of Appendix A (Required Agreement)*.

1.19 **CONFLICT OF INTEREST**

No County employee whose position in County enables him/her to influence the selection of a Contractor for this RFP, or any competing solicitation, nor any spouse of economic dependent of such employees, shall be employed in any capacity by a Proposer or have any other direct or indirect financial interest in the selection of Contractor. Proposer shall certify that he/she is aware of and has read Section 2.180.010 of the Los Angeles County Code, as stated in *Exhibit 5 (Certification of No Conflict of Interest) to Appendix D (Required Forms)*.

1.20 **DETERMINATION OF PROPOSER RESPONSIBILITY**

- 1.20.1 A responsible Proposer is a Proposer who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity and experience to satisfactorily perform the Agreement. It is County’s policy to conduct business only with responsible Proposers.

- 1.20.2 Proposers are hereby notified that, in accordance with Chapter 2.202 of the County Code, County may determine whether the Proposer is responsible based on a review of the Proposer's performance on any contracts, including but not limited to County contracts. Particular attention will be given to violations of labor laws related to employee compensation and benefits, and evidence of false claims made by the Proposer against public entities. Labor law violations which are the fault of the subcontractors and of which the Proposer had no knowledge shall not be the basis of a determination that the Proposer is not responsible.
- 1.20.3 County may declare a Proposer to be non-responsible for purposes of the resultant Agreement if the Board of Supervisors, in its discretion, finds that the Proposer has done any of the following: (i) violated a term of an agreement with County or a nonprofit corporation created by County; (ii) committed an act or omission which negatively reflects on the Proposer's quality, fitness or capacity to perform an agreement with County, any other public entity, or a nonprofit corporation created by County, or engaged in a pattern or practice which negatively reflects on same; (iii) committed an act or omission which indicates a lack of business integrity or business honesty; or (iv) made or submitted a false claim against County or any other public entity.
- 1.20.4 If there is evidence that the apparent highest ranked Proposer may not be responsible, the Department shall notify the Proposer in writing of the evidence relating to the Proposer's responsibility, and its intention to recommend to the Board of Supervisors that the Proposer be found not responsible. The Department shall provide the Proposer and/or the Proposer's representative with an opportunity to present evidence as to why the Proposer should be found to be responsible and to rebut evidence which is the basis for the Department's recommendation.
- 1.20.5 If the Proposer presents evidence in rebuttal to the Department, the Department shall evaluate the merits of such evidence, and based on that evaluation, make a recommendation to the Board of Supervisors. The final decision concerning the responsibility of the Proposer shall reside with County's Board of Supervisors.
- 1.20.6 These terms shall also apply to proposed subcontractors of Proposers on County contracts.

1.21 PROPOSER DEBARMENT

- 1.21.1 The Proposer is hereby notified that, in accordance with Chapter 2.202 of the County Code, County may debar the Proposer from bidding or proposing on, or being awarded, and/or performing work on other County contracts for a specified period of time, which generally will not exceed five (5) years but may exceed five (5) years or be permanent if warranted by the circumstances, and County may terminate any or all of the Proposer's existing contracts with County, if the Board of Supervisors finds, in its discretion, that the Proposer has done any of the following: (i) violated a term of an agreement with County or a nonprofit corporation created by County; (ii) committed an act or omission which negatively reflects on the Proposer's quality, fitness or capacity to perform an agreement with County, any other public entity, or a nonprofit corporation created by County, or engaged in a pattern or practice which negatively reflects on same; (iii) committed an act or offense which indicates a lack of business integrity or business honesty; or (iv) made or submitted a false claim against County or any other public entity.

-
- 1.21.2 If there is evidence that the apparent highest ranked Proposer may be subject to debarment, the Department shall notify the Proposer in writing of the evidence which is the basis for the proposed debarment, and shall advise the Proposer of the scheduled date for a debarment hearing before the Contractor Hearing Board.
- 1.21.3 The Contractor Hearing Board shall conduct a hearing where evidence on the proposed debarment is presented. The Proposer and/or Proposer's representative shall be given an opportunity to submit evidence at that hearing. After the hearing, the Contractor Hearing Board shall prepare a tentative proposed decision, which shall contain a recommendation regarding whether the Proposer should be debarred, and, if so, the appropriate length of time of the debarment. The Proposer and the Department shall be provided an opportunity to object to the tentative proposed decision prior to its presentation to the Board of Supervisors.
- 1.21.4 After consideration of any objections, or if no objections are received, a record of the hearing, the proposed decision and any other recommendation of the Contractor Hearing Board shall be presented to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny or adopt the proposed decision and recommendation of the Contractor Hearing Board.
- 1.21.5 If a Proposer has been debarred for a period longer than five (5) years, that Proposer may, after the debarment has been in effect for at least five (5) years, submit a written request for review of the debarment determination to reduce the period of debarment or terminate the debarment. County may, in its discretion, reduce the period of debarment or terminate the debarment if it finds that the Proposer has adequately demonstrated one or more of the following: (i) elimination of the grounds for which the debarment was imposed; (ii) a bona fide change in ownership or management; (iii) material evidence discovered after debarment was imposed; or (iv) any other reason that is in the best interests of County.
- 1.21.6 The Contractor Hearing Board will consider requests for review of a debarment determination only where (a) the Proposer has been debarred for a period longer than five (5) years; (b) the debarment has been in effect for at least five (5) years; and (c) the request is in writing, states one or more of the grounds for reduction of the debarment period or termination of the debarment and includes supporting documentation. Upon receiving an appropriate request, the Contractor Hearing Board will provide notice of the hearing on the request. At the hearing, the Contractor Hearing Board shall conduct a hearing where evidence on the proposed reduction of debarment period or termination of debarment is presented. This hearing shall be conducted and the request for review decided by the Contractor Hearing Board pursuant to the same procedures as for a debarment hearing.
- 1.21.7 The Contractor Hearing Board's proposed decision shall contain a recommendation on the request to reduce the period of debarment or terminate the debarment. The Contractor Hearing Board shall present its proposed decision and recommendation to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny, or adopt the proposed decision and recommendation of the Contractor Hearing Board.
- 1.21.8 These terms shall also apply to proposed subcontractors of Proposers on County agreements.

1.21.9 *Appendix H (Listing of Contractors Debarred in Los Angeles County)* provides a link to County's website where there is a listing of, and lists, contractors that are currently debarred in Los Angeles County.

1.22 PROPOSER'S ADHERENCE TO COUNTY'S CHILD SUPPORT COMPLIANCE PROGRAM

Proposers shall: (1) fully comply with all applicable State and Federal reporting requirements relating to employment reporting for its employees; and (2) comply with all lawfully served Wage and Earnings Assignment Orders and Notice of Assignment and continue to maintain compliance during the term of any contract that may be awarded pursuant to this solicitation. Failure to comply may be cause for termination of a contract or initiation of debarment proceedings against the non-compliant Contractor (County Code Chapter 2.202).

1.23 GRATUITIES

1.23.1 ATTEMPT TO SECURE FAVORABLE TREATMENT

It is improper for any County officer, employee or agent to solicit consideration, in any form, from a Proposer with the implication, suggestion or statement that the Proposer's provision of the consideration may secure more favorable treatment for the Proposer in the award of the resultant Agreement or that the Proposer's failure to provide such consideration may negatively affect County's consideration of the Proposer's submission. A Proposer shall not offer or give either directly or through an intermediary, consideration, in any form, to a County officer, employee or agent for the purpose of securing favorable treatment with respect to the award of the Agreement.

1.23.2 PROPOSER NOTIFICATION TO COUNTY

A Proposer shall immediately report any attempt by a County officer, employee or agent to solicit such improper consideration. The report shall be made either to the County manager charged with the supervision of the employee or to County Auditor-Controller's Employee Fraud Hotline at (800) 544-6861. Failure to report such a solicitation may result in the Proposer's submission being eliminated from consideration.

1.23.3 FORM OF IMPROPER CONSIDERATION

Among other items, such improper consideration may take the form of cash, discounts, services, the provision of travel or entertainment or tangible gifts.

1.24 NOTICE TO PROPOSERS REGARDING COUNTY LOBBYIST ORDINANCE

The Board of Supervisors of the County of Los Angeles has enacted an ordinance regulating the activities of persons who lobby County officials. This ordinance, referred to as the "Lobbyist Ordinance", defines a County Lobbyist and imposes certain registration requirements upon individuals meeting the definition. The complete text of the ordinance can be found in County Code Chapter 2.160. In effect, each person, corporation or other entity that seeks a County permit, license, franchise or contract must certify compliance with the ordinance. As part of this solicitation process, it will be the responsibility of each Proposer to review the ordinance independently as the text of said ordinance is not contained within this RFP. Thereafter, each person, corporation or other entity submitting a response to this solicitation, must certify that each County Lobbyist, as defined by Los Angeles County Code Section 2.160.010, retained by the Proposer is in full compliance with Chapter 2.160 of the Los Angeles County Code and each such County Lobbyist is **not** on the Executive Office's List of Terminated

Registered Lobbyists by completing and submitting the form in *Exhibit 6 (Familiarity with the County Lobbyist Ordinance Certification)* to *Appendix D (Required Forms)* as part of the proposal.

1.25 FEDERAL EARNED INCOME CREDIT

Contractor shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the federal income tax laws. Such notice shall be provided in accordance with the requirements set forth in Internal Revenue Service Notice No. 1015. (Reference *Appendix I (IRS Notice 1015)* to this RFP.)

1.26 CONSIDERATION OF GAIN/GROW PARTICIPANTS FOR EMPLOYMENT

As a threshold requirement for consideration for an Agreement award, Proposers shall demonstrate a proven record of hiring participants in County's Department of Public Social Services Greater Avenues for Independence ("GAIN") and General Relief Opportunity for Work ("GROW") Programs or shall attest to a willingness to consider GAIN/GROW participants for any future employment openings if they meet the minimum qualifications for that opening. Additionally, Proposers shall attest to a willingness to provide employed GAIN/GROW participants access to the Proposers' employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities. Proposers who are unable to meet this requirement shall not be considered for an Agreement award. Proposers shall complete and return the form in *Exhibit 9 (Attestation of Willingness to Consider GAIN/GROW Participants)* to *Appendix D (Required Forms)* along with the proposal.

1.27 COUNTY'S QUALITY ASSURANCE PLAN

After the Agreement award, County or its agent will evaluate Contractor's performance under the Agreement on a periodic basis. Such evaluation will include assessing Contractor's compliance with all terms in the resultant Agreement and performance standards identified in the Statement of Work. Contractor's deficiencies, which County determines are severe or continuing and that may jeopardize performance of the Agreement, may be required by the OEM to be reported to County's Board of Supervisors. The report will include improvement and/or corrective action measures taken by County and Contractor. If improvement does not occur consistent with the corrective action measures, County may terminate the Agreement, in whole or in part, or impose other penalties as specified in the Agreement.

1.28 RECYCLED BOND PAPER

Proposer shall be required to comply with County's policy on recycled bond paper as specified in *Paragraph 77 (Recycled Bond Paper)* of *Appendix A (Required Agreement)*.

1.29 GREEN INITIATIVES

Proposer shall use reasonable efforts to initiate "green" practices for environmental and energy conservation benefits. The selected Proposer shall notify County's Project Manager of its new green initiatives prior to effective date of the resultant Agreement.

1.30 SAFELY SURRENDERED BABY LAW

Contractor shall notify and provide to its employees, and shall require each subcontractor to notify and provide to its employees, a fact sheet regarding the Safely Surrendered Baby Law, its implementation in Los Angeles County and where and how

to safely surrender a baby. The fact sheet is set forth in *Appendix J (Safely Surrendered Baby Law)* to this RFP and is also available on the Internet at www.babysafela.org for printing purposes.

1.31 COUNTY POLICY ON DOING BUSINESS WITH SMALL BUSINESSES

- 1.31.1 County has multiple programs that address small businesses. The Board of Supervisors encourages small business participation in County's contracting process by constantly streamlining and simplifying our selection process and expanding opportunities for small businesses to compete for our business.
- 1.31.2 The Local Small Business Enterprise Preference Program requires the company to complete a certification process. This program and how to obtain certification are further explained in *Section 1.33 (Local Small Business Enterprise Preference Program)* below.
- 1.31.3 The Jury Service Program provides for an exception if a company qualifies as a Small Business. It is important to note that each program has a different definition for Small Business. A company may qualify as a Small Business in one program but not the other. Further explanation of this program is provided in *Section 1.32 (Jury Service Program)* below.
- 1.31.4 County also has a Policy on Doing Business with Small Businesses that is stated in *Appendix F (County of Los Angeles Policy on Doing Business with Small Businesses)* to this RFP.

1.32 JURY SERVICE PROGRAM

The prospective Contractor is subject to the requirements of County's Contractor Employee Jury Service Ordinance ("Jury Service Program") (Los Angeles County Code, Chapter 2.203). Prospective Contractors should carefully read the *Appendix G (Jury Service Ordinance)* and the pertinent jury service provisions of *Paragraph 46 (Compliance with County's Jury Service Program)* of *Appendix A (Required Agreement)*, both of which are incorporated by reference into and made a part of this RFP. The Jury Service Program applies to both the Contractor and its subcontractors ("Subcontractors"). Proposals that fail to comply with the requirements of the Jury Service Program will be considered non-responsive and excluded from further consideration.

- 1.32.1 The Jury Service Program requires each Contractor and its Subcontractors to have and adhere to a written policy, which provides that its employees shall receive from Contractor, on an annual basis, no less than five (5) days of regular pay for actual jury service. The policy may provide that employees deposit any fees received for such jury service with Contractor or that Contractor deduct from the employee's regular pay the fees received for jury service. For purposes of the Jury Service Program, "employee" means any California resident who is a full-time employee of a Contractor and "full-time" means 40 hours or more worked per week, or a lesser number of hours if: (i) the lesser number is a recognized industry standard as determined by County, or (ii) Contractor has a long-standing practice that defines the lesser number of hours as full-time. Therefore, the Jury Service Program applies to all of a Contractor's full-time California employees, even those not working specifically on the County project. Full-time employees providing short-term, temporary services of 90 days or less within a 12-month period are not considered full-time for purposes of the Jury Service Program.

1.32.2 There are two ways in which a Contractor might not be subject to the Jury Service Program. The first is if Contractor does not fall within the Jury Service Program's definition of "Contractor". The Jury Service Program defines "Contractor" to mean a person, partnership, corporation or other entity which has an agreement with County or a subcontract with a County Contractor and has received or will receive an aggregate sum of \$50,000 or more in any 12-month period under one or more County contracts or subcontracts. The second is if Contractor meets one of the two exceptions to the Jury Service Program. The first exception concerns small businesses and applies to any Contractor that (i) has ten (10) or fewer employees; and (ii) has annual gross revenues in the preceding twelve months which, if added to the annual amount of the Agreement is less than \$500,000, and (iii) is not an "affiliate or subsidiary of a business dominant in its field of operation". The second exception applies to Contractors that possess a collective bargaining agreement that expressly supersedes the provisions of the Jury Service Program. Contractor is subject to any provision of the Jury Service Program not expressly superseded by the collective bargaining agreement.

1.32.3 If a Contractor does not fall within the Jury Service Program's definition of "Contractor" or if it meets any of the exceptions to the Jury Service Program, then Contractor must so indicate in the form in *Exhibit 10 (Contractor Employee Jury Service Program – Certification Form and Application for Exception)* of Appendix D (*Required Forms*) and include with its submission all necessary documentation to support the claim such as tax returns or a collective bargaining agreement, if applicable. Upon reviewing Contractor's application, County will determine, in its sole discretion, whether Contractor falls within the definition of Contractor or meets any of the exceptions to the Jury Service Program. County's decision will be final.

1.33 LOCAL SMALL BUSINESS ENTERPRISE PREFERENCE PROGRAM

1.33.1 County will give Local SBE preference during the solicitation process to businesses that meet the definition of a Local Small Business Enterprise ("Local SBE"), consistent with Chapter 2.204.030C.1 of the Los Angeles County Code.

1.33.2 A business which is certified as small by the Small Business Administration ("SBA") or which is registered as small on the Federal Central Contractor Registration database may qualify to request the Local SBE Preference in a solicitation.

1.33.3 Proposers must complete the form in *Exhibit 7 (Request for Local SBE Preference Program Consideration and CBE Firm/Organization Information Form)* to Appendix D (*Required Forms*) and submit with their proposals. Sanctions and financial penalties may apply to a business that knowingly, and with intent to defraud, seeks to obtain or maintain certification as a certified Local SBE.

1.34 LOCAL SMALL BUSINESS ENTERPRISE (SBE) PROMPT PAYMENT PROGRAM

It is the intent of County that Certified Local SBEs receive prompt payment for services they provide to County. Prompt payment is defined as fifteen (15) calendar days after receipt of an undisputed invoice.

1.35 NOTIFICATION TO COUNTY OF PENDING ACQUISITIONS/MERGERS

The Proposer shall notify County of any pending acquisitions/mergers of its company. This information shall be provided by the Proposer on the form in *Exhibit 1 (Proposer's Organization Questionnaire/Affidavit)* to Appendix D (*Required Forms*). Failure of the Proposer to provide this information may eliminate its proposal from any further

consideration.

1.36 TRANSITIONAL JOB OPPORTUNITIES PREFERENCE PROGRAM

- 1.36.1 In evaluating proposals, County will give preference to businesses that are certified by County as Transitional Job Opportunity vendors, consistent with Chapter 2.205 of the Los Angeles County Code. A Certified Transitional Job Opportunity vendor is, and has been such for three (3) years, an entity: (i) that is a non-profit organization recognized as tax exempt pursuant to section 501(c)(3) of the Internal Revenue Services Code; set forth, under penalty of perjury, such information as requested by County on either electronic or hard copy forms, along with their application form and three most recent annual tax returns to the department with their proposal response to the contracting solicitation for which they are competing; (ii) has been in operation for at least one (1) year providing transitional job and the related supportive services to program participants; and (iii) provides a profile of its program with a description of its program components designed to assist program participants, number of past program participants and any other information requested by the contracting Department.
- 1.36.2 Transitional Job Opportunities vendors must request the preference in their solicitation response and may not receive the preference until their certification has been affirmed by the applicable department. County must verify the Transitional Job Opportunity vendor certification prior to applying the preference. Sanctions and financial penalties may apply to a Proposer that knowingly and with intent to defraud seeks to obtain or maintain certification as a Transitional Job Opportunities vendor.
- 1.36.3 To request the Transitional Job Opportunities Preference, Proposer must complete the form in *Exhibit 13 (Transitional Job Opportunities Preference Application)* to *Appendix D (Required Forms)* and submit it along with all supporting documentation with the proposal.

1.37 DEFAULTED PROPERTY TAX REDUCTION PROGRAM

- 1.37.1 The prospective Agreement is subject to the requirements of County's Defaulted Property Tax Reduction Program ("Defaulted Tax Program") (Los Angeles County Code, Chapter 2.206). Prospective Contractors should carefully read the Defaulted Tax Program Ordinance set forth in *Appendix K (Defaulted Property Tax Reduction Program)* to this RFP and the pertinent provisions of *Paragraph 50 (Defaulted Property Tax Reduction Program)* of *Appendix A (Required Agreement)*, both of which are incorporated by reference into and made a part of this RFP. The Defaulted Tax Program applies to both Contractors and their Subcontractors.
- 1.37.2 Proposers shall be required to certify that they are in full compliance with the provisions of the Defaulted Tax Program and shall maintain compliance during the term of any resultant Agreement that may be awarded pursuant to this RFP or shall certify that they are exempt from the Defaulted Tax Program by completing the form in *Exhibit 22 (Certification of Compliance with County's Defaulted Property Tax Reduction Program)* to *Appendix D (Required Forms)*. Failure to maintain compliance, or to timely cure defects, may be cause for termination of a contract or initiation of debarment proceedings against the non-compliance contractor (Los Angeles County Code, Chapter 2.202).
- 1.37.3 Proposals that fail to comply with the certification requirements of the Defaulted Tax Program will be considered non-responsive and excluded from further consideration.

1.38 CHARITABLE CONTRIBUTIONS COMPLIANCE

- 1.38.1 California's "Supervision of Trustees and Fundraisers for Charitable Purposes Act" regulates receiving and raising charitable contributions. Among other requirements, those subject to the Charitable Purposes Act must register. The 2004 Nonprofit Integrity Act (SB 1262, Chapter 919) increased Charitable Purposes Act requirements. Prospective Contractors should carefully read *Appendix N (Background and Resources – California Charities Regulations)*. New rules cover California public benefit corporations, unincorporated associations and trustee entities and may include similar foreign corporations doing business or holding property in California. Key Nonprofit Integrity Act requirements affect executive compensation, fund-raising practices and documentation. Charities with over \$2 million of revenue (excluding funds that must be accounted for to a governmental entity) have new audit requirements.
- 1.38.2 All Proposers must determine if they receive or raise charitable contributions which subject them to the Charitable Purposes Act and complete the form in *Exhibit 20 (Charitable Contributions Certification) to Appendix D (Required Forms)*. A completed Exhibit 20 is a required part of any agreement with County.
- 1.38.3 In *Exhibit 20 (Charitable Contributions Certification) to Appendix D (Required Forms)*, Proposers should certify either that:
- they have determined that they do not now receive or raise charitable contributions regulated under the California Charitable Purposes Act (including the Nonprofit Integrity Act), but will comply if they become subject to coverage of those laws during the term of a County agreement,
- OR
- they are currently complying with their obligations under the Charitable Purposes Act, attaching a copy of their most recent filing with the Registry of Charitable Trusts.
- 1.38.4 Prospective County contractors that do not complete Exhibit 20 as part of the solicitation process may, in the County's sole discretion, be disqualified from contract award. A County contractor that fails to comply with its obligations under the Charitable Purposes Act is subject to either contract termination or debarment proceedings or both. (County Code Chapter 2.202).

2. PROPOSAL SUBMISSION REQUIREMENTS

In order to have their proposals evaluated, Proposers in submitting their responses to this RFP must comply with the content, sequence, format and other proposal requirements as set forth below in this *Section 2 (Proposal Submission Requirements)* of the RFP, including key dates, activities and instructions to Proposers regarding preparation and submission of proposals.

2.1 ACCEPTANCE OF TERMS AND CONDITIONS

Each Proposer understands and agrees that submission of proposals in response to this RFP constitutes acknowledgment and acceptance of, and willingness to comply with, all terms and conditions of this RFP, including any RFP addenda.

2.2 CONFIDENTIALITY

Proposer shall maintain the confidentiality of all records obtained from County under this RFP in accordance with all applicable Federal, State and local laws, regulations, ordinances, guidelines, rules, policies and procedures relating to confidentiality.

2.3 COUNTY RESPONSIBILITY

County is not *responsible* for representations made by any of its officers or employees prior to the execution of the resultant Agreement unless such understanding or representation is included in the Agreement.

2.4 TRUTH AND ACCURACY OF REPRESENTATIONS

False, misleading, incomplete or deceptively unresponsive statements or altered published RFP documents including response documents in connection with a proposal shall be sufficient cause for rejection of the proposal. The evaluation and determination in this area shall be at the Director's sole judgment and his/her judgment shall be final.

2.5 RFP TIMETABLE

The timetable for this RFP is as follows:

Release of RFP	January 12, 2012
Request for Solicitation Requirements Review Due (10 Business Days after release of RFP)	January 27, 2012
Written Questions Due	January 27, 2012
Questions and Answers Released	February 6, 2011
Proposals Due (5:00 p.m. Pacific Time)	February 13, 2012

2.6 SOLICITATION REQUIREMENTS REVIEW

A person or entity may seek a Solicitation Requirements Review by submitting to the Department the form in *Appendix E (Transmittal Form to Request a Solicitation Requirements Review)* along with supporting documentation, as described in this *Section 2.6*. A request for a Solicitation Requirements Review shall only be granted if all of the following are satisfied:

1. The request for a Solicitation Requirements Review is received by the Department within ten (10) Business Days of the release of the RFP;
2. The request for a Solicitation Requirements Review includes documentation, which

- demonstrates the underlying ability of the person or entity to submit a proposal;
3. The request for a Solicitation Requirements Review itemizes in appropriate detail each matter contested and factual reasons for the requested review; and
 4. The request for a Solicitation Requirements Review asserts either that:
 - a. application of the minimum requirements, evaluation criteria and/or business requirements unfairly disadvantage the Proposer; or
 - b. due to unclear instructions, the process may result in County not receiving the best possible responses from prospective Proposers.

The Solicitation Requirements Review shall be completed and the Department's determination shall be provided to the requesting person or entity, in writing, within a reasonable time prior to the proposal due date.

2.7 PROPOSERS' QUESTIONS

Proposers may submit written questions regarding this RFP by mail or e-mail to the Contract Manager identified in *Section 1.9 (Contact with County Personnel)*. All questions must be received by the deadline specified in *Section 2.5 (RFP Timetable)* above. All questions will be compiled with the appropriate answers and issued as an addendum to the RFP without identifying the submitting company.

When submitting questions, Proposers should specify the RFP section number, paragraph number and page number and quote the language that prompted the question. This will ensure that the question can be quickly found in the RFP. County reserves the right to group similar questions when providing answers.

When submitting questions, Proposers must identify themselves by including the following information:

- a. The company name, business and mailing addresses, phone number;
- b. The primary contact person, name, business and mailing addresses, contact phone(s) and e-mail address(es); and
- c. The primary contact person's relationship with the company.

Proposer names related to questions will be held in confidence during the initial stages of the RFP. County reserves the right to not respond to questions that it deems confidential, inappropriate or not material to responding to the RFP.

2.8 PROPOSAL WITHDRAWAL

All proposals shall be firm offers and may not be withdrawn for a period of one hundred eighty (180) days following the last day to accept proposals.

2.9 PREPARATION OF THE PROPOSAL

Two (2) separate proposals must be submitted in response to this RFP: a Business Proposal and a Cost Proposal. All proposals must be submitted in the format prescribed below in this RFP. Any proposal that deviates from this format may be rejected without review at County's sole discretion.

2.10 BUSINESS PROPOSAL FORMAT

Each RFP response must include a Business Proposal which shall contain all information specified in this *Section 2.10* below. The content and sequence of the Business Proposal must be as follows:

1. Title Page
2. Table of Contents
3. Cover Letter
4. Proposer's Organization Questionnaire/Affidavit and Required Support Documents for Corporations and Limited Liability Companies
5. Executive Summary (Section A)
6. Proposer's Qualifications (Section B)
7. Proposed Solution (Section C)
8. Acceptance of / Exceptions to Terms and Conditions of Required Agreement (Section D)
9. Business Proposal Required Forms (Section E)

The subsections below break down the requirements of each proposal component, while identifying the RFP Section where the information should be included.

2.10.1 TITLE PAGE

The first page of the proposal must consist of a title page with the name of the firm, title of the RFP ("Community and Senior Center Automation Solution"), date of submission and identification of printed documents as "Original" or "Copy".

2.10.2 TABLE OF CONTENTS

The table of contents shall outline all components of the proposal, including a clear definition of each, identified by sequential page numbers and the proposal section numbers prescribed in this *Section 2.10 (Business Proposal Format)* of the RFP.

2.10.3 COVER LETTER

The cover letter must be a maximum of one (1) page, transmitting the proposal on the Proposer's stationery. The cover letter must include the Proposer's name, address, email address, telephone and facsimile numbers of the person or persons to be used for contact and who will be authorized to represent the firm. The cover letter must bear the signature of the person authorized to sign on behalf of the Proposer and to bind the Proposer to any resultant Agreement. The letter shall indicate that the Proposer intends to perform the Agreement as a single Proposer and will bear sole and complete responsibility for all work as defined in this RFP and in the agreed upon resultant Agreement.

2.10.4 PROPOSER'S ORGANIZATION QUESTIONNAIRE/AFFIDAVIT AND REQUIRED SUPPORT DOCUMENTATION

The Proposer shall complete, sign and date the form in *Exhibit 1 (Proposer's Organization Questionnaire/Affidavit)* to Appendix D (*Required Forms*). **The person**

signing the form must be authorized to sign on behalf of the Proposer and to bind the Proposer to the resultant Agreement.

Taking into account the structure of the Proposer's organization, Proposer shall determine which of the below referenced supporting documents County requires. If the Proposer's organization does not fit into one of these categories, upon receipt of the proposal or at some later time, County may, in its discretion, request additional documentation regarding the Proposer's business organization and authority of individuals to sign contracts.

If the below referenced documents are not available at the time of proposal submission, Proposers must request the appropriate documents from the California Secretary of State and provide a statement on the status of the request.

REQUIRED SUPPORT DOCUMENTS:

Corporations or Limited Liability Company (LLC): The Proposer must submit the following documentation with the Proposal:

1. A copy of a "Certificate of Good Standing" with the state of incorporation/organization.
2. A conformed copy of the most recent "Statement of Information" as filed with the California Secretary of State listing corporate officers or members and managers.

Limited Partnership: The Proposer must submit a conformed copy of the Certificate of Limited Partnership or Application for Registration of Foreign Limited Partnership as filed with the California Secretary of State, and any amendments.

2.10.5 EXECUTIVE SUMMARY (SECTION A)

Condense and highlight the contents of the Proposer's Business Proposal to provide CSS with a broad understanding of the Proposer's approach, qualifications, experience and staffing.

2.10.6 PROPOSER'S QUALIFICATIONS (SECTION B)

Demonstrate that the Proposer's organization has the experience and capability to perform the work required by this RFP. The following sections must be included:

1. Background and Experience (SECTION B.1)

Provide a summary of relevant background information to demonstrate that the Proposer meets the Minimum Requirement(s) stated in *1.4 (Minimum Requirements)* of this RFP and has the capability to perform the required work as a corporation or other entity.

2. References and Contracts (SECTION B.2)

Each Proposer must complete and include *Exhibits 2, 3 and 4 to Appendix D (Required Forms)* as follows:

- a. *Exhibit 2 (Prospective Contractor References)*

Proposer must provide references from at least three (3) current clients for which the Proposer provided the same or similar work as set forth in this RFP.

b. *Exhibit 3 (Prospective Contractor List of Contracts)*

Proposer must provide a listing of all contracts with public entities in the past three (3) years. The information should identify each contract, time period of the contract, company name, contact person and their telephone number, annual agreement dollar amount and a description of the work provided. If the firm did have County contracts during the last three (3) years, such must be included. Use additional sheets if necessary.

c. *Exhibit 4 (Prospective Contractor List of Terminated Contracts)*

Proposer must include a listing of all contracts terminated within the past three (3) years with a reason for termination.

It is the Proposer's sole responsibility to ensure that the firm's name and point of contact's name, title and phone number for each reference is accurate. The same references may be listed on both forms in *Exhibits 2 (Prospective Contractor References) and 3 (Prospective Contractor List of Contracts) of Appendix D (Required Forms)*. County may disqualify a Proposer if:

- References fail to substantiate the Proposer's description of the work provided; or
- References fail to support that the Proposer has a continuing pattern of providing capable, productive and skilled personnel, or
- County is unable to reach the point of contact with reasonable effort.

It is the Proposer's responsibility to inform the point of contact of normal working hours.

3. Pending Litigation and Judgments (**SECTION B.3**)

Identify by name, case and court jurisdiction any pending litigation, in which Proposer is involved, and/or judgments against Proposer in the past five (5) years. Provide a statement describing the size and scope of any pending or threatening litigation against the Proposer or principals of the Proposer.

4. Security Requirements (**SECTION B.4**)

Specify to what extent and how the proposed Solution shall meet each of the security requirements specified in *Exhibit 3 (Security Requirements) to Appendix C (Requirements and Response Documents)*.

5. Staffing Resources (**SECTION B.5**)

Provide a high level view of full time staffing resources for staff that will work specifically on the proposed Solution. Staff can only be counted once but may be shown as ½ values if they will work in more than one area or if they work on other solutions that are not part of this project. This section may be modestly expanded for the purposes of clarifying the resources specifically available to the

proposed solution to address the following areas:

- a. Management
- b. Development (application and hosting services)
- c. Implementation Services (application and hosting services)
- d. Maintenance (application and hosting services)
- e. Support (Customer Service Representatives)

2.10.7 PROPOSER'S SOLUTION (SECTION C)

Each Proposer must present a description of the approach and methodology the Proposer intends to use to provide and maintain the Solution and to fulfill the requirements set forth below, the Statement of Work set forth in *Appendix B (Statement of Work)* and any resultant Agreement.

The Proposer must also clearly demonstrate that the Proposer accepts and meets all requirements of this RFP. Include in your response, at a minimum, the following:

1. Minimum Requirements (SECTION C.1)

Specify how the proposed Solution shall meet each of the Minimum Requirements set forth in *Exhibit 1 (Minimum Requirements) to Appendix C (Requirements and Response Documents)*, including all necessary tasks, subtasks, deliverables, goods, services and other work required by the Statement of Work.

2. Desired Features (SECTION C.2)

Specify to what extent and how the proposed Solution shall meet each of the desired requirements specified in *Exhibit 2 (Desired Features) to Appendix C (Requirements and Response Documents)*. The County may elect the selected Contractor to provide any, all or none of such Desired Requirements that are not included in the Contractor's Core Application (COTS).

2.10.8 TERMS AND CONDITIONS (SECTION D)

1. Statement of Work (SECTION D.1)

The selected Contractor shall be required to provide and complete all tasks, subtasks, deliverables, goods, services and other work described in *Appendix B (Statement of Work)*, as such may be modified by County prior to the commencement of the negotiations of the resultant Agreement. A Proposer may, however, provide proposed revisions to *Appendix B (Statement of Work)* while maintaining the format in such *Appendix B (Statement of Work)*, provided that reduction in, or deviation from, the scope of work described in *Appendix B (Statement of Work)* may result, in County's sole discretion, in points being deducted from the Proposer's evaluation score.

Based on the response, the Proposer shall check the appropriate box in *Exhibit 5 (Statement of Work Certification) to Appendix C (Requirements and Response Documents)*. Failure by the Proposer to provide such certification shall deem its proposal non-responsive, subject to disqualification from consideration.

By responding to this RFP, each Proposer acknowledges and agrees that any data and information set forth in Exhibits to Appendix B (Statement of Work) are provided for informational purposes only to and do not make warranties with respect to the future.

2. Required Agreement (SECTION D.2)

It is the duty of every Proposer to thoroughly review *Appendix A (Required Agreement)*, including all applicable insurance provisions and any and all Attachments and Schedules thereto, to ensure compliance with all of its terms and conditions. It is the County's expectation that in submitting a proposal the Proposers will accept all of the terms and conditions specified in *Appendix A (Required Agreement)*, including any and all Attachments and Schedules thereto, as such may be modified by County prior to the commencement of the negotiations of the resultant Agreement.

In the event a Proposer takes any exceptions to *Appendix A (Required Agreement)*, for each exception taken, the Proposer shall provide:

- a. An explanation of the reason(s) for the exception;
- b. The proposed alternative language;
- c. A description of the impact, if any, to the Proposer's price; and
- d. A red-lined version of the language at issue.

The County reserves the right to determine, in its sole discretion, that a Proposer's exceptions are material enough to deem the proposal non-responsive and not be subject to further evaluation or to deduct points from the Proposer's evaluation score.

Based on the response, the Proposer shall check the appropriate box in *Exhibit 6 (Required Agreement Certification) to Appendix C (Requirements and Response Documents)*. Failure by the Proposer to provide such certification shall deem its proposal non-responsive, subject to disqualification from consideration.

2.10.9 BUSINESS PROPOSAL REQUIRED FORMS (SECTION E)

Proposers shall include in their responses fully completed and executed the required forms set forth in *Appendix D (Required Forms)*, as provided below.

EXHIBIT 1 *Proposer's Organization Questionnaire/Affidavit*

EXHIBIT 2 *Prospective Contractor References*

EXHIBIT 3 *Prospective Contractor List of Contracts*

EXHIBIT 4 *Prospective Contractor List of Terminated Contracts*

EXHIBIT 5 *Certification of No Conflict of Interest*

EXHIBIT 6 *Familiarity with County Lobbyist Ordinance Certification*

EXHIBIT 7 *Request for Local SBE Preference Program Consideration and CBE Firm/Organization Information Form*

EXHIBIT 8 *Proposer's EEO Certification*

- EXHIBIT 9 *Attestation of Willingness to Consider GAIN/GROW Participants*
- EXHIBIT 10 *Contractor Employee Jury Service Program - Certification Form and Application for Exception*
- EXHIBIT 11 *Certification of Independent Price Determination and Acknowledgment of RFP Restrictions*
- EXHIBIT 12 *Charitable Contributions Certification*
- EXHIBIT 13 *Transitional Job Opportunities Preference Application*
- EXHIBIT 14 *Certification of Compliance with County's Defaulted Property Tax Reduction Program*

2.11 COST PROPOSAL FORMAT

Each RFP response must include a Cost Proposal which shall contain all costs related to completing *Exhibit 4 (Cost Sheet and Instructions) to Appendix C (Proposal Forms)*. The content and sequence of the Cost Proposal must be as follows:

1. Title Page – identifying, at a minimum, the name of the firm, title of the RFP, date of submission and identification of printed documents as “Original” or “Copy”.
2. Cost Sheet – completed *Exhibit 4 (Cost Sheet and Instructions) to Appendix C (Requirements and Response Documents)*.
3. Independent Price Determination Certification – completed *Exhibit 11 (Certification of Independent Price Determination and Acknowledgement of RFP Restrictions) of Appendix D (Required Forms)*.

2.12 PROPOSALS

2.12.1 PROPOSAL SUBMISSION

Each of the proposals submitted (Business Proposal and Cost Proposal) must include (i) one (1) “original” printed proposal bound, (ii) one (1) printed “copy” of the proposal unbound and suitable for being copied by County team members, and (iii) one (1) electronic copy of the proposal on a CD (Microsoft Office 2010 Word & Excel).

RFP response documents must use Microsoft Word 2010, with a minimum font size of 12 pt, Arial or Calibri font. Excel 2010 spreadsheets and charts may have a font size of 10 pt minimum, Arial or Calibri font.

The original *Business Proposal* bound, one unbound copy and one electronic copy on a CD shall be enclosed in a sealed envelope or box, plainly marked in the upper left-hand corner with the name and address of the Proposer and bear the words:

**“BUSINESS PROPOSAL FOR
COMMUNITY AND SENIOR CENTER AUTOMATION SOLUTION”**

The original *Cost Proposal* bound, one unbound copy and one electronic copy on a CD must be submitted in a separate sealed package, plainly marked in the upper left-hand corner with the name and address of the Proposer and bear the words:

**“COST PROPOSAL FOR
COMMUNITY AND SENIOR CENTER AUTOMATION SOLUTION”**

While the two (2) proposals may be boxed and delivered together, they must be SEALED SEPARATELY within the box, if one box is used, since the Cost Proposals must be separated from the Business Proposals and are handled separately during the evaluation process.

2.12.2 PROPOSAL DELIVERY

It is the sole responsibility of each submitting Proposer to ensure that its response to this RFP (including the Business Proposal and Cost Proposal) is received before the submission deadline. The proposals shall be delivered to the individual identified as Contract Manager in *Section 1.9 (Contact with County Personnel)* of this RFP. Submitting Proposers shall bear all risks associated with delays in delivery by any person or entity, including the U.S. Mail. Any proposals received after the scheduled closing date and time for receipt of proposals, as listed in *Section 2.5 (RFP Timetable)* of this RFP, will not be accepted and returned to the sender unopened. Timely hand-delivered proposals are acceptable. No facsimile (fax) or electronic mail (e-mail) copies will be accepted.

2.12.3 FIRM OFFERS

All proposals shall be firm offers and may not be withdrawn for a period of one hundred eighty (180) days following the last day to submit proposals. Until the proposal submission deadline, errors in proposals may be corrected by a written request to withdraw the proposal and to submit another set of proposals with the mistakes corrected. Corrections will not be accepted once the deadline for submission of proposals has passed.

2.12.4 PROPOSER DEMONSTRATION

Proposer shall use a Sandbox (or training) environment of the proposed Solution to provide a structured demonstration of specific tasks as described below. The purpose of the demonstration is to provide for evaluators a clarifying overview of the Solution presented in the response to this RFP to allow evaluators to independently review the Solution on-line later if needed. The length of the demonstration shall not exceed 45 minutes. Proposers shall briefly demonstrate the following:

1. How the Web Solution will be accessed including staff Login and access to main menu;
2. Consumer signing in for a service using the Touchscreen; and
3. Consumer signing in using scanning of barcode;
4. Staff entering in a new consumer;
5. Staff accessing and retrieving a standard report of services delivered;
6. Staff creating a simple Ad Hoc Inquiry; and
7. Access to the Sandbox for evaluation purposes, ID's passwords.

County staff will not be allowed to ask questions or give any feedback during the demonstration. The County contact identified as Contract Manager in *Section 1.9 (Contact with County Personnel)* of this RFP will moderate the demonstration. The demonstration will be scheduled with the Proposer contact following the RFP due date,

as indicated in Section 2.5 (*RFP Timetable*) of this RFP.

Questions regarding the structured demonstration should be submitted as RFP Questions and will be responded to according to the timetable specified in Section 2.5 (*RFP Timetable*).

3. SELECTION PROCESS AND EVALUATION CRITERIA

3.1 SELECTION PROCESS

County reserves the sole right to judge the contents of the proposals submitted pursuant to this RFP and to review, evaluate and select the successful proposal(s). The selection process will begin with receipt of the proposal no later than by the due date specified in *Section 2.5 (RFP Timetable)* above.

Evaluation of the proposals will be made by an Evaluation Committee selected by the Department. The Evaluation Committee will evaluate the proposals and will use the evaluation approach described herein to select a prospective Contractor. The Evaluation Committee may utilize the services of appropriate experts to assist in the evaluation.

All proposals will first be screened to determine compliance with the Minimum Requirements. All proposals that passed the Minimum Requirements will then be evaluated based on the evaluation criteria and corresponding weighting factors ("Evaluation Criteria") listed below in this *Section 3 (Selection Process and Evaluation Criteria)*. The proposals will be scored and ranked in numerical sequence from high to low. County may also, at its option, visit sites that use the proposed Solution software and/or review the Solution software via a Proposer provided access to a Sandbox environment.

After a prospective Contractor has been selected, County and the prospective Contractor(s) will negotiate an Agreement for submission to County's Board of Supervisors for its consideration and possible approval. If a satisfactory Agreement cannot be negotiated with a selected prospective Contractor, County may, at its sole discretion, disqualify such selected prospective Contractor and begin Agreement negotiations with the next qualified Proposer who submitted a proposal, as determined by County.

Notwithstanding the foregoing, County retains the right to select a proposal other than the highest ranked proposal if County determines in its sole discretion that another proposal is the most overall qualified, cost-effective, responsive and is in the best interests of the County.

3.2 ADHERENCE TO MINIMUM MANDATORY REQUIREMENTS (PASS/FAIL)

County shall review each Proposer's response provided on *Exhibit 1 (Proposer's Organization Questionnaire/Affidavit)* to *Appendix D (Required Forms)* and *Section C.1 (Minimum Requirements)* of the proposal and determine if the Proposer meets the Minimum Requirements as specified in *Section 1.4 (Minimum Requirements)* of this RFP.

Failure of the Proposer to comply with the Minimum Requirements will eliminate its proposal from further consideration. County may elect to waive any informality in a proposal if the sum and substance of the proposal is present.

3.3 DISQUALIFICATION REVIEW

A proposal may also be disqualified from consideration if the Department, at any time during the review/evaluation process, determined such proposal was non-responsive,

including if it failed to meet the Minimum Requirements. If County determines that a proposal is disqualified due to the Proposer's failure to meet the Minimum Requirements or that its proposal is otherwise non-responsive, County shall provide the Proposer with a written notification, which shall include the deadline for requesting a Disqualification Review.

Upon receipt of the written determination of non-responsiveness, the Proposer may submit a written request for a Disqualification Review by the date specified by County in its notice of disqualification. Requests for a Disqualification Review not submitted timely will be denied.

A Disqualification Review may be granted only if all of the following criteria are satisfied:

- A. The firm/person requesting a Disqualification Review is a Proposer;
- B. The request for a Disqualification Review is submitted timely (i.e., by the date and time specified in the written determination); and
- C. The request for a Disqualification Review asserts that the Department's determination of disqualification due to proposal non-responsiveness was erroneous (e.g. factual errors, etc.) and provides factual support on each ground asserted as well as copies of all documents and other material that support the assertions.

The Disqualification Review shall be completed and the Department's determination shall be provided to the Proposer, in writing, prior to the conclusion of the evaluation process.

3.4 BUSINESS PROPOSAL EVALUATION AND CRITERIA (70%)

Business Proposals that have passed the Minimum Requirements will be evaluated for quality and evidence provided in support of the Proposer's ability to meet the requirements of this RFP and scored based on the Evaluation Criteria set forth in this *Section 3.4 (Business Proposal Evaluation and Criteria (70%))* below. Any reviews conducted during the evaluation of the proposals may result in points being deducted from the score.

All information received during the evaluation process shall be considered including: the Proposer's written proposal, direct observations made by evaluators during the demonstration of the Solution by the Proposer and any direct hands on experience / observations made by the evaluator while directly reviewing the proposed Solution in a Sandbox environment.

3.4.1 PROPOSER'S QUALIFICATIONS (15%)

Proposer will be evaluated on based on information provided in *Section B (Proposer's Qualifications)* of the Business Proposal in response to *Section 2.10.6 (Proposer's Qualifications (Section B))* of this RFP, including *Sections B.1 (Background and Experience)*, *B.2 (References and Contracts)*, *B.3 (Pending Litigation and Judgments)*, *B.4 (Security Requirements)* and *B.5 (Staffing Resources)*, based at a minimum on the criteria listed below.

- i. Experience and capacity to perform the required work;

- ii. Reference checks;
- iii. Past performance history on contracts, including terminated contracts;
- iv. Pending litigation and judgments;
- v. Staffing resources; and
- vi. Security requirements.

3.4.2 SOLUTION REQUIREMENTS (55%)

Proposer will be evaluated based on the information provided in *Section C (Proposer's Solution)* of the Business Proposal, including *Sections C.1 (Minimum Requirements) and C.2 (Desired Features)*, in response to *Section 2.10.7 (Proposer's Solution (Section C))* of this RFP, taking into account the Proposer's approach and methodology to providing the Solution, Solution demonstration, any site visits and direct observations by evaluators. The score for this section of the Business Proposal will be based on Proposer's responses as they apply, at a minimum, to the following Desired Features:

- 1. Business Functionalities (15%)
- 2. User Interfaces (15%)
- 3. System Requirements (15%)
- 4. Reporting Requirements (10%).

3.5 **COST PROPOSAL EVALUATION CRITERIA (30%)**

Cost Proposals will be evaluated based on the pricing information submitted by the Proposers on *Exhibit 4 (Cost Sheet and Instructions) to Appendix C (Proposal Forms)* of the RFP in response to *Section 2.11 (Cost Proposal Format)*. The maximum number of possible points will be awarded to the Cost Proposal with the lowest cost. All other proposals will be compared to the lowest cost and points awarded accordingly.

However, should one or more of the Proposers request and be granted the Local SBE Preference and/or Transitional Job Opportunities Preference, the cost component points will be determined as follows:

3.5.1 LOCAL SBE PREFERENCE

Five percent (5%) of the lowest cost proposed will be calculated, which shall not exceed \$50,000, and that amount will be deducted from the cost submitted by all Local SBE Proposers who requested and were granted the Local SBE Preference.

3.5.2 TRANSITIONAL JOB OPPORTUNITIES PREFERENCE

Five percent (5%) of the lowest cost proposed will be calculated and that amount will be deducted from the cost submitted by all Proposers who requested and were granted the Transitional Job Opportunities Preference.

3.6 **PROPOSED CONTRACTOR SELECTION REVIEW**

3.6.1 DEBRIEFING PROCESS

Upon completion of the evaluation, and prior to entering into negotiations with the selected Proposer, the Department shall notify the remaining Proposers in writing that

the Department is entering into negotiations with another selected Proposer. Upon receipt of such notification, any non-selected Proposer may submit a written request for a debriefing (“Debriefing”) within the time specified in the notification letter. A request for a Debriefing may, in the Department’s sole discretion, be denied if the request is not received within the specified timeframe.

The purpose of the Debriefing is to compare the requesting Proposer’s response to the solicitation document with the evaluation document. The requesting Proposer shall be debriefed only on its response. Because the Agreement execution process has not been completed, responses from other Proposers shall not be discussed, although the Department may inform the requesting Proposer of its relative ranking.

During or following the Debriefing, the Department will instruct the requesting Proposer of the manner and timeframe in which the requesting Proposer must notify the Department of its intent to request a Proposed Contractor Selection Review (see *Section 3.6.2 (Selection Review)* below), if the requesting Proposer is not satisfied with the results of the Debriefing.

3.6.2 SELECTION REVIEW

Any Proposer that has timely submitted a notice of its intent to request a Proposed Contractor Selection Review described in this *Section 3.6.2* may submit a written request for a Proposed Contractor Selection Review, in the manner and timeframe as shall be specified by the Department.

A request for a Proposed Contractor Selection Review may, in the Department’s sole discretion, may be granted only if the request satisfies all of the following criteria:

- A. The person or entity requesting a Proposed Contractor Selection Review is a Proposer;
- B. The request for a Proposed Contractor Selection Review is submitted timely (i.e., by the date and time specified by the Department);
- C. The person or entity requesting a Proposed Contractor Selection Review asserts in appropriate detail with factual reasons one or more of the following grounds for review:
 - 1. The Department materially failed to follow procedures specified in its solicitation document. This includes:
 - a. Failure to correctly apply the standards for reviewing the proposal format requirements.
 - b. Failure to correctly apply the standards, and/or follow the prescribed methods, for evaluating the proposals as specified in the solicitation document.
 - c. Use of evaluation criteria that were different from the evaluation criteria disclosed in the solicitation document.
 - 2. The Department made identifiable mathematical or other errors in evaluating proposals, resulting in the Proposer receiving an incorrect score and not being selected as the recommended contractor.

3. A member of the Evaluation Committee demonstrated bias in the conduct of the evaluation.
 4. Another basis for review as provided by state or federal law; and
- D. The request for a Proposed Contractor Selection Review sets forth sufficient detail to demonstrate that, but for the Department's alleged failure, the Proposer would have been the lowest cost, responsive and responsible bid or the highest-scored proposal, as the case may be.

Upon completing the Proposed Contractor Selection Review, the Department shall issue a written decision to the Proposer within a reasonable time following receipt of the request for a Proposed Contractor Selection Review and always before the date the Agreement award recommendation is to be heard by the Board. The written decision shall additionally instruct the Proposer of the manner and timeframe for requesting a review by a County Review Panel (see *Section 3.7 (County Review Panel Process)* below).

3.7 COUNTY REVIEW PANEL PROCESS

Any Proposer that is not satisfied with the results of the Proposed Contractor Selection Review may submit a written request for review by a County Review Panel in the manner and timeframe specified by the Department in the Department's written decision regarding the Proposed Contractor Selection Review.

A request for review by a County Review Panel may, in the County's sole discretion, be granted only if the request does satisfies all of the following criteria:

- A. The person or entity requesting review by a County Review Panel is a Proposer;
- B. The request for a review by a County Review Panel is submitted timely (i.e., by the date and time specified by the Department); and
- C. The person or entity requesting review by a County Review Panel has limited the request to items raised in the Proposed Contractor Selection Review and new items that (a) arise from the Department's written decision and (b) are one of the appropriate grounds for requesting a Proposed Contractor Selection Review as listed in *Section 3.6.2 (Selection Review)* above.

Upon completion of the County Review Panel's review, the Panel will forward its report to the Department, which will provide a copy to the Proposer.